

## CHAPTER 116

## CITIES AND TOWNS—FIREMEN

S. F. 152

AN ACT to place a limit upon the hours of duty required of employees of fire departments in certain cities.

*Be it enacted by the General Assembly of the State of Iowa:*

1     **SECTION 1. Hours on duty limited.** Firemen employed in the fire  
2 department of cities of first class including cities under special charter,  
3 having a population of twenty-five thousand (25,000) or over, shall  
4 not be required to remain on duty for periods of time which will  
5 aggregate in each month more than an average of twelve (12) hours  
6 per day, and no single period of time, or shift, shall exceed twenty-  
7 four (24) hours in length, provided that in cases of serious emergencies  
8 such firemen may be required to remain on duty until such emergency  
9 has passed, when so ordered by the chief of the department or person  
10 acting in his place.

1     **SEC. 2. Limitation.** The provisions of section one (1) hereof  
2 shall not apply to the chief, or other persons when in command of a  
3 fire department, nor to firemen who are employed subject to call only.

Approved April 3, A. D. 1925.

## CHAPTER 117

## CITIES AND TOWNS—PLAN COMMISSION

H. F. 383

AN ACT authorizing the creation of city plan commissions in cities and towns of all classes, providing the manner of appointment of members of such commissions, the terms for which they shall serve, defining the powers of such commissions, authorizing the appropriation of money for the expenses thereof, and providing for levying a tax therefor.

*Be it enacted by the General Assembly of the State of Iowa:*

1     **SECTION 1. Plan commission authorized—appointment.** The coun-  
2 cil of each city and town, including commission governed cities and  
3 special charter cities, may by ordinance provide for the establishment  
4 of a city plan commission for such municipality, consisting of not less  
5 than seven members, who shall be citizens of such municipality and  
6 who shall be qualified by knowledge or experience to act in matters  
7 pertaining to development of a city plan and who shall not hold any  
8 elective office in the municipal government and who shall be appointed  
9 by the mayor, subject to the approval of the council.

1     **SEC. 2. Tenure—vacancy—compensation.** The term of office of  
2 said members shall be five years, except that the members first named

3 shall hold office for such terms, not exceeding five years, that the  
4 terms of not more than one-third of the membership will expire in  
5 any one year. If any vacancy shall exist on said commission caused  
6 by resignation, or otherwise, the mayor shall appoint a successor for  
7 the residue of said term. All members of the commission shall serve  
8 without compensation except their actual expenses, which shall be  
9 subject to the approval of the council.

1     **SEC. 3. Organization—rules—report—assistants.** Such city plan  
2 commission shall choose, annually, at its first regular meeting, one  
3 of its members to act as chairman of the commission, and another of  
4 its members as vice-chairman, who shall perform all the duties of the  
5 chairman during his absence or disability, and shall adopt such rules  
6 and regulations governing its organization and procedure as may be  
7 deemed necessary; and each year shall make a report to the mayor  
8 and council of its proceedings with a full statement of its receipts,  
9 disbursements, and the progress of its work for the preceding cal-  
10 endar year. Subject to the limitations contained in this act as to the  
11 expenditure of funds, it may appoint such assistants as it may deem  
12 necessary and prescribe and define their respective duties and fix and  
13 regulate the compensation to be paid to the several persons employed  
14 by it.

1     **SEC. 4. Powers.** Such city plan commission shall have full power  
2 and authority to make or cause to be made such surveys, studies,  
3 maps, plans or charts of the whole or any portion of such municipality  
4 and of any land outside thereof which in the opinion of such commis-  
5 sion bears relation to a comprehensive plan, and shall bring to the  
6 attention of the council and may publish its studies and recommenda-  
7 tions.

1     **SEC. 5. Functions.** No statuary, memorial, or work of art in a  
2 public place, and no public building, bridge, viaduct, street fixture,  
3 public structure or appurtenance, shall be located or erected, or site  
4 therefor obtained, nor shall any permit be issued by any department  
5 of the municipal government for the erection or location thereof,  
6 until and unless the design and proposed location of any such improve-  
7 ment shall have been submitted to the city plan commission and its  
8 recommendations thereon obtained; provided, however, that such re-  
9 quirement for recommendations shall not act as a stay upon action  
10 for any such improvement where such commission after thirty days  
11 written notice requesting such recommendations shall have failed to  
12 file same; and said recommendations shall not be necessary as to  
13 statuary, memorials or works of art in municipalities where municipal  
14 art commissions have been established.

1     **SEC. 6. Plats submitted for approval.** Where such city plan com-  
2 mission exists all plans, plats, or re-plats of subdivisions or re-sub-  
3 divisions of land embraced in said municipality or adjacent thereto,  
4 laid out in lots or plats with the streets, alleys or other portions of  
5 the same intended to be dedicated to the public in such municipality  
6 shall first be submitted to the city plan commission and its recom-  
7 mendation obtained before approval by the city council.

1     **SEC. 7. Commission's recommendation.** No plan for any street,  
2 park, parkway, boulevard, traffic-way, river-front, or other public im-

3 improvement affecting the city plan shall be finally approved by the  
 4 municipality, or the character or location thereof determined, unless  
 5 such proposal shall first have been submitted to the city plan com-  
 6 mission and the latter shall have had thirty days within which to file  
 7 its recommendations thereon.

1 **SEC. 8. Fund.** The council of any such municipality, when it shall  
 2 have passed an ordinance creating a city plan commission, may an-  
 3 nually appropriate a sum of money from the general funds for the  
 4 payment of the expense of such commission. The said commission  
 5 shall have full, complete and exclusive authority to expend for and  
 6 on behalf of such municipality all sums of money so appropriated.  
 7 All gifts, donations or payment whatsoever which are received by  
 8 such municipality for city plan purposes shall be placed in the city  
 9 plan commission fund, to be used by the said commission in the same  
 10 manner as hereinbefore stated. The said commission shall have no  
 11 power to contract debts beyond the amount of its income for the cur-  
 12 rent year.

Approved April 3, A. D. 1925.

## CHAPTER 118

### CITIES AND TOWNS—EXTENSION OF WATER MAINS

S. F. 13

AN ACT authorizing cities and towns owning waterworks to extend water mains and  
 levy special assessments therefor against the privately owned property.

*Be it enacted by the General Assembly of the State of Iowa:*

1 **SECTION 1. Extension of water mains—assessment.** Cities and  
 2 towns which own and operate waterworks may extend the water mains  
 3 and assess the cost of such extension to abutting property as provided  
 4 in this chapter.

1 **SEC. 2. Conditions.** Such extension, and assessments therefor, may  
 2 be ordered only when petitioned for by seventy-five per cent (75%)  
 3 of the resident owners of property subject to assessment.

1 **SEC. 3. Petition—jurisdiction.** The petition shall be presented  
 2 to the board of waterworks trustees when such board exists, and, in  
 3 such case, said board shall have exclusive jurisdiction of such petition.  
 4 In other cases the petition shall be presented to the council which shall  
 5 have such jurisdiction.

1 **SEC. 4. Certification by board—order.** If the proposed extension is  
 2 approved by the board of waterworks trustees, it shall certify said  
 3 petition, together with its written approval thereof, to the council  
 4 which shall thereupon order the extension.

1 **SEC. 5. Letting contract and execution thereof.** Contracts for  
 2 such extensions shall be let by and executed under the supervision